



# West Lancashire District Group

Part of CPRE Lancashire Branch (Registered Charity no. 1107376)

**Campaign to Protect Rural England**  
*Defending our countryside and urban green spaces*

RECEIVED

14 DEC 2012

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The Old Coach House,  
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Scarisbrick,  
Ormskirk.  
L40 9RZ.

Ms Rosie Cooper MP,  
House of Commons,  
London, SW1A 0AA

12<sup>th</sup> December 2012

Dear Ms Cooper,

## Whitemoss Hazardous Waste Landfill

We are aware of your opposition to the extension of this site and were pleased to note the comments you submitted to the recently completed Examination in Public into the Lancashire Minerals and Waste Plan. The Development Plan Document associated with the Plan has removed all reference to Whitemoss and replaced the policy for landfilling of hazardous waste with a criteria-based policy. There is no longer a presumption that an extension to Whitemoss is necessarily an appropriate location. At the recently reconvened EiP, on Wednesday 7<sup>th</sup> November, the LCC undertook to produce a Supplementary Planning Document to expand and explain in detail how the criteria will/may be interpreted.

While as a campaigning group we welcome the removal of Whitemoss as a designated site from the Minerals and Waste Plan, we have argued against it because it is in the Green Belt and very close to Skelmersdale. (ARROW argued convincingly that there is excess hazardous waste landfill capacity in the region but were not able to convince the Inspector that there is a health risk associated with such landfill.) The main reason for the LCC change of policy would seem to be that for the DPD to name a single site would be "anti-competitive". The new policy permits other firms to propose other sites and does not prevent Whitemoss Landfill Ltd applying for an extension of the existing site and attempting to show that their proposals satisfy the LCC criteria, and SPD when published.

To our consternation, we have recently learnt that Whitemoss has made a scoping application to the National Infrastructure Planning section of the Planning Inspectorate (prior to making a formal application) for permission for a new hazardous waste management facility to the west of the existing one. This scoping application is the first stage of the process and seeks the NIPC comment and advice on the content of a formal application. The NIPC website indicates that the application is expected in the third quarter of 2013 but the Whitemoss website states that the firm anticipates making application in the first quarter of 2013. As a group we are not yet able to record our objections to this future application.

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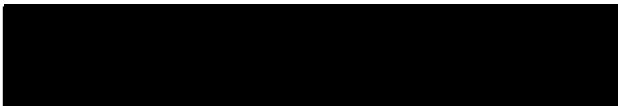
Whitemoss Landfill have, by making the proposed site extremely large, made use of the Draft National Policy Statement for Hazardous Waste to bypass the local democratic processes. In fact they have made a mockery of the Lancashire Minerals and Waste Plan and the recently completed Examination in Public. All the evidence presented to that Examination will have to be re-presented to the National Infrastructure Planning officers at a future date. Local community groups who made representations will have to start all over again.

Our member David Cheetham, of Elmers Green Lane, Skelmersdale, wrote to you in January 2012, in a personal capacity, about his personal concerns at the NPPF and the Draft National Policy Statement for Hazardous Waste. As our group has now taken up the issue he has shared his correspondence with you with us. Your ref.RC/MMc/CHEE01020 may help you identify it and in particular the reply from Lord Taylor of Holbeach, Parliamentary Under-Secretary at DEFRA, dated 16<sup>th</sup> March 2012.

Our Group's concern is the same as that expressed by Mr. Cheetham, namely that by making application for a landfill with an annual capacity far in excess of the quantities historically landfilled at the existing site the NIPC will base its assessment on the basis that need has been demonstrated as the Government is of the view that the private sector is best placed to select locations that are suitable for economic reasons.

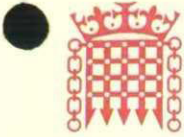
There does not seem to be any scope for us to take action until the formal application is made. The purpose of this letter is to advise that Whitemoss Ltd are determined to put their commercial interest before concerns for the Green Belt and the image of West Lancashire.

Yours sincerely,

A large black rectangular redaction box covering the signature of Mrs. Margaret Wiltshire.

Mrs. Margaret Wiltshire

Chairman



# Rosie Cooper MP

Labour MP for West Lancashire  
House of Commons  
London SW1A 0AA  
020 7219 3000

24 January 2013

/RL/COOP01013/01110496

Sir Michael Pitt, Chief Executive  
The Planning Inspectorate  
Room 3/18A, Temple Quay House  
2 The Square  
Temple Quay, Bristol  
BS1 6PN

30 JAN 2013

Dear Sir Michael,

Please find enclosed correspondence from West Lancashire District Group of the Campaign for the Protection of Rural England (CPRE) in relation to efforts by Whitemoss Landfill Limited to extend and expand their site for the dumping of hazardous waste.

I would be grateful if you could respond to the concerns raised in the attached correspondence.

I look forward to your reply.

Yours sincerely

ROSIE COOPER MP  
WEST LANCASHIRE





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Ms R Cooper MP  
House of Commons  
London  
SW1A 0AA

Your Ref: RL/COOP01013/01110496

Our Ref: WS010003

Date: 06 February 2013

*Dear Ms Cooper,*

**CORRESPONDENCE FROM THE WEST LANCASHIRE DISTRICT GROUP OF THE  
CAMPAIGN FOR THE PROTECTION OF RURAL ENGLAND – WHITEMOSS LANDFILL  
LIMITED**

Thank you for forwarding the correspondence that you have received from your constituents, expressing the concerns that West Lancashire CPRE have about a potential application. I was particularly concerned to read that your constituents did not feel that there was any scope to take action until an application is made. In order to allay your constituents concerns in this regard I have set out a brief overview of our process, highlighting the opportunities for them to have their say about this proposal, and hopefully providing clarity about the likely timescale for the submission of the application.

A developer wishing to make an application for development consent for a National Significant Infrastructure Project is legally required to consult with both statutory parties and the public before making an application. With the input of the host local authority, they must prepare a Statement of Community Consultation setting out how they intend to consult with affected local communities and groups such as CPRE. They must then carry out this consultation, before they can apply.

When an application is made, we will seek the views of host and neighbouring local authorities on the adequacy of the applicant's consultation. We will not accept an application for examination unless the applicant is able to demonstrate that they have both carried out adequate consultation, and had regard to any responses that they have received.

Because the process is frontloaded, applicants normally approach us for guidance before making an application. We were contacted by the developer, Whitemoss Landfill Ltd, about a potential application for an extension to the Whitemoss Hazardous Waste Landfill site in the summer of 2012. In October 2012, we held a meeting to discuss the proposal with the developer and provide information to them about the application process.

The Planning Inspectorate publishes all the advice that we give to applicants and others in

relation to National Infrastructure applications. We have a dedicated page on our website for each anticipated project, where members of the public can find advice and information relating to it. A note of that meeting is published on the Whitemoss project page, which can be found at:

<http://infrastructure.planningportal.gov.uk/projects/north-west/whitemoss-landfill-western-extension/>

Because of the nature and scale of the project, the developer expects that the application will be accompanied by an Environmental Statement. In November 2012, the applicant sought our formal opinion on the scope of that statement, and sent us a report on what they felt should be included.

In considering our response, we sought the views of statutory organisations such as the Environment Agency and Natural England<sup>1</sup>. The responses we received were carefully considered and reported in our Scoping Opinion which was published in December 2012. Both the developers Scoping Report and the Planning Inspectorate's Scoping Opinion can be found on the project page, above.

I suggest that your constituents contact Whitemoss Landfill Limited directly for further information about their proposals at this pre application stage, and participate in their pre-application consultation when it takes place. There will be adverts placed in local newspapers about the public consultation dates. Our understanding is that this pre application consultation is due to commence in "early 2013", according to the developers website, and this may explain why your constituent was concerned. However, as our website states, we are not expecting an application to be submitted until after the summer this year. We have not been informed of a specific date by the applicant yet. If we are informed of a more specific date we will update the project page of our website accordingly.

Once the application is submitted, and if we accept it for examination, any individual or organisation will have an opportunity to register with us as an interested party. This will enable them to take part in the examination of the submitted application by making written, and if necessary, oral submissions to the appointed Examining authority. Further information about the process and how to participate in it can be found on our website under the "legislation and advice" tab; in particular, Advice Notes 8.1 to 8.5.

If either you or your constituents have any further questions about the application process, please do not hesitate to contact our helpline (0303 444 5000), or alternatively Mark Wilson (0303 444 5062) who is responsible for managing the nationally significant hazardous waste casework here at the Planning Inspectorate.

Yours sincerely



Sir Michael Pitt  
Chief Executive

<sup>1</sup> The list of such organisations is set out in a schedule to the Infrastructure Planning (Applications, Prescribed Forms and Procedures) Regulations 2010.